

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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AGA Medical Corp.,

Plaintiff,

v.

W. L. Gore & Associates, Inc.,

Defendant.

No. 0:10-cv-03734 (JNE/JSM)

**DECLARATION OF TARA C. NORGARD IN SUPPORT OF AGA MEDICAL  
CORPORATION’S MOTION TO OVERRULE CERTAIN OBJECTIONS TO  
AGA’S RULE 30(b)(6) NOTICE, COMPEL TESTIMONY,  
AND DENY GORE’S ATTEMPTS TO DESIGNATE CERTAIN DISCOVERY AS  
“CONFIDENTIAL—OUTSIDE ATTORNEYS’ EYES ONLY”**

I, Tara C. Norgard, hereby declare as follows:

1. I am an attorney with the law firm of Carlson, Caspers, Vandenburg & Lindquist, P.A., counsel for plaintiff AGA Medical Corporation (“AGA”) in the above-referenced action. This declaration is submitted on behalf of AGA in support of its Motion to Overrule Certain Objections to AGA’s Rule 30(b)(6) Notice, Compel Testimony, and Deny Gore’s Attempts to Designate Certain Discovery as “Confidential—Outside Attorneys’ Eyes Only” Under the Protective Order. This declaration is made on my own personal knowledge, except as otherwise indicated.

2. Attached hereto as Exhibit 1 is a true and correct copy of Plaintiff AGA Medical Corporation's First Notice of 30(b)(6) Deposition of Defendant W.L. Gore & Associates (Topics Nos. 1-15).

3. Attached hereto as Exhibit 2 is a true and correct copy of Defendant W.L. Gore & Associates' Responses and Objections to AGA's First Notice of 30(b)(6) Deposition (Topic Nos. 1-15).

4. Attached hereto as Exhibit 3 is a true and correct copy of an email from Dennis C. Bremer to Matthew K. Blackburn dated May 23, 2011.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Pretrial Scheduling Order (Docket No. 18) dated November 17, 2010.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Third Amended Pretrial Scheduling Order (Docket No. 44) dated June 6, 2011.

7. Attached hereto as Exhibit 6 is a true and correct copy of select pages from the Deposition Transcript of Mary Mulder, Ph.D., taken on May 17, 2011. (*FILED UNDER SEAL*).

8. Attached hereto as Exhibit 7 is a true and correct copy of email correspondence from Jonathan D. Carpenter to counsel for W.L. Gore & Associates dated May 25, 2011.

9. Attached hereto as Exhibit 8 is a true and correct copy of a letter from Jonathan D. Carpenter to Matthew K. Blackburn dated June 6, 2011.

10. Attached hereto as Exhibit 9 is a true and correct copy of Defendant W.L. Gore & Associates Objections and Responses to AGA's First Set of Requests for Production of Documents and Things dated December 10, 2010.

11. Attached hereto as Exhibit 10 is a true and correct copy of an email from Steven M. Purdy to Jonathan Carpenter dated June 30, 2011.

12. Attached hereto as Exhibit 11 is a true and correct copy of an email from Steven M. Purdy to Dennis Bremer dated July 3, 2011.

13. Attached hereto as Exhibit 12 is a true and correct copy of Defendant W.L. Gore & Associates' First Notice of Rule 30(b)(6) Deposition of AGA Medical Corp. (Topic Nos. 1-9).

14. Attached hereto as Exhibit 13 is a true and correct copy of email correspondence between Jonathan D. Carpenter and Myoka Kim Goodin dated June 22, 2011 and June 24, 2011.

15. Attached hereto as Exhibit 14 is a true and correct copy of a letter from Jonathan D. Carpenter to Matthew K. Blackburn dated June 28, 2011.

16. Attached hereto as Exhibit 15 is a true and correct copy of a letter from Jonathan D. Carpenter to counsel for W.L. Gore & Associates dated March 15, 2011.

17. Attached hereto as Exhibit 16 is a true and correct copy of a letter from Myoka Kim Goodin to Jonathan D. Carpenter dated March 24, 2011.

18. Attached hereto as Exhibit 17 is a true and correct copy of an email from Dennis C. Bremer to Matthew K. Blackburn dated May 13, 2011.

19. Attached hereto as Exhibit 18 is a true and correct copy of an email from Dennis C. Bremer to counsel for W.L. Gore & Associates dated May 11, 2011.

20. Attached hereto as Exhibit 19 is a true and correct copy of a letter from Jonathan D. Carpenter to Matthew K. Blackburn dated April 21, 2011.

21. Attached hereto as Exhibit 20 is a true and correct copy of a letter from Jonathan D. Carpenter to Matthew K. Blackburn dated May 27, 2011.

22. Attached hereto as Exhibit 21 is a true and correct copy of a letter from Jonathan D. Carpenter to Myoka Kim Goodin dated June 27, 2011.

23. Gore has produced 1,182,452 pages of documents since it began its production on February 4, 2011. Approximately 828,000 of those pages were produced on or after May 12, 2011.

24. Attached hereto as Exhibit 22 is a true and correct copy of a document bearing production numbers WLG00348049 – WLG00348058. (*FILED UNDER SEAL*)

25. Attached hereto as Exhibit 23 is a true and correct copy of a poster board presentation.

26. Attached hereto as Exhibit 24 is a true and correct copy of a document bearing production numbers WLG00187922 – WLG00187985. (*FILED UNDER SEAL*)

27. Attached hereto as Exhibit 25 is a true and correct copy of a document bearing production numbers WLG00196279 – WLG00196366. (*FILED UNDER SEAL*)

28. Attached hereto as Exhibit 26 is a true and correct copy of a document bearing production numbers WLG00191628 – WLG00191650. (*FILED UNDER SEAL*)

I state under penalty of perjury that the foregoing is true and correct.

Dated: July 5, 2011

s/Tara C. Norgard  
Tara C. Norgard